

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

ECOLAB Inc., and NALCO COMPANY,
LLC d/b/a Nalco Water, an Ecolab Company
and/or Nalco Water,

Plaintiffs,

v.

ANTHONY RIDLEY and CHEMTREAT,
INC.,

Defendants.

Case No. 1:22-cv-00050

District Judge Travis R. McDonough

Magistrate Judge Christopher H. Steger

JOINT SUBMISSION OF PROPOSED JURY INSTRUCTIONS AND VERDICT FORMS

Pursuant to the Court’s August 24, 2023 Amended Scheduling Order and Local Rule 51.1, Defendants Anthony Ridley and ChemTreat, Inc. and Plaintiffs Ecolab Inc. and Nalco Company, LLC (collectively, the “Parties”), by and through undersigned counsel, submit the attached proposed jury instructions and verdict forms. The Parties cooperatively conferred about their proposed jury instructions and verdict forms on October 12, 2023. However, after conferring, several areas of disagreement remain. Accordingly, the proposed jury instructions attached herein provide competing instructions, as directed by the Court’s Amended Scheduling Order. Doc. 362 ¶ 4. The Parties were unable to reach an agreement on their proposed verdict forms and are therefore submitting separate proposed verdict forms for the Court’s consideration.

Attached as **Exhibit 1** are the Parties’ joint proposed jury instructions. Attached as **Exhibit 2** is Defendants’ proposed verdict form. Attached as **Exhibit 3** is Plaintiffs’ proposed verdict form.

DATED: October 13, 2023

Respectfully submitted,

/s/ Troy C. Homesley

Vidya Atre Mirmira (admitted *pro hac vice*)
William T. Burke (admitted *pro hac vice*)
Juli Ann Lund (admitted *pro hac vice*)
Troy C. Homesley (admitted *pro hac vice*)
WILLIAMS & CONNOLLY LLP
680 Maine Ave. SW
Washington, DC 20024
Telephone: (202) 434-5000
Facsimile: (202) 434-5029
E-mail: vmirmira@wc.com
E-mail: wburke@wc.com
E-mail: jlund@wc.com
E-mail: thomesley@wc.com

Kyle W. Eiselstein, Tenn. BPR No. 020727
Zachary H. Greene, Tenn. BPR No. 024451
Erin E. Steelman, Tenn. BPR No. 038463
MILLER & MARTIN PLLC
1200 Volunteer Building
832 Georgia Avenue
Chattanooga, Tennessee 37402
Telephone: (423) 756-6600
E-mail: kyle.eiselstein@millermartin.com
E-mail: zac.greene@millermartin.com
E-mail: erin.steelman@millermartin.com

Attorneys for Defendant ChemTreat, Inc.

/s/ Lance W. Pope (by permission)

Lance W. Pope, BPR No. 025054
Jeremy M. Cothern, BPR No. 027166
Patrick, Beard, Schulman & Jacoway, P.C. 537
Market Street, Suite 300
Chattanooga, TN 37402
(423) 756-7117 – phone
(423) 267-5032 – fax
lpope@pbsjlaw.com
jcothern@pbsjlaw.com

Attorneys for Anthony Ridley

/s/ David J. Wlaton (by permission)

J. Gregory Grisham, BPR No. 013810
FISHER & PHILLIPS LLP
1715 Aaron Brenner Drive, Suite 312
Memphis, Tennessee 38120
ggrisham@fisherphillips.com

David J. Walton (*pro hac vice*)
Edward G. Winsman (*pro hac vice*)
Kathleen Laubenstein (*pro hac vice*)
FISHER & PHILLIPS LLP
Two Logan Square, 12th Floor
100 N. 18th Street
Philadelphia, PA 19103
dwalton@fisherphillips.com
ewinsman@fisherphillips.com
klaubenstein@fisherphillips.com

Pavneet Uppal (*pro hac vice*)
FISHER & PHILLIPS LLP
3200 North Central Avenue, Suite 1550
Phoenix, AZ 85012
puppal@fisherphillips.com

James Michael Honeycutt (*pro hac vice*)
FISHER & PHILLIPS LLP
227 West Trade Street, Suite 2020
Charlotte, NC 28202
jhoneycutt@fisherphillips.com

Edward N. Boehm, Jr.
FISHER & PHILLIPS LLP
1230 Peachtree St., NE, Suite 330
Atlanta, GA 30309
tboehm@fisherphillips.com

Attorneys for Plaintiffs